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4 LA SALLE MANOR,
5 Plaintiff,
6 v.
7 DAWN IVERSON,
8 Defendant.
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10 Case No. [16-cv-06284-JD](#)
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15 **ORDER ADOPTING REPORT
16 AND RECOMMENDATION AND
17 REMANDING CASE**
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19 Re: Dkt. No. 6
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21 The Court has reviewed Chief Magistrate Judge Joseph Spero's report and
22 recommendation. Dkt. No. 6. No objections have been filed in response to the report, and the
23 time to file objections has expired. *See* Fed. R. Civ. P. 72(b).

24 The Court agrees with Magistrate Judge Spero's well-reasoned recommendation that this
25 unlawful detainer action should be remanded pursuant to 28 U.S.C. § 1447(c) for lack of federal
26 subject matter jurisdiction. The Court also agrees that attorney's fees should not be awarded under
27 that section at this time, but defendant should be admonished against further frivolous removals.

28 The Court consequently adopts the report and recommendation of Magistrate Judge Spero
29 in full, orders the case remanded to the California Superior Court for the County of Contra Costa,
30 and admonishes defendant Iverson that further frivolous removals will likely result in sanctions.

31 **IT IS SO ORDERED.**

32 Dated: December 19, 2016

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38 JAMES DONATO
39 United States District Judge
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LA SALLE MANOR,
Plaintiff,
v.
DAWN IVERSON,
Defendant.

Case No. 16-cv-06284-JD

CERTIFICATE OF SERVICE

DAWN IVERSON,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 19, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dawn Iverson
762 Shell Avenue, #10
Martinez, CA 94553

Dated: December 19, 2016

Susan Y. Soong
Clerk, United States District Court

By: Lisa R. Clark
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO